

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

RONNIE GILES,)
)
 Plaintiff,)
)
 v.) CASE NO. 3:06-cv-528-WKW
)
 MASTERBRAND CABINETS, INC.,)
)
 Defendant.)

ORDER

Upon consideration of the defendant's Motion to Dismiss in Part (Doc # 12) and the plaintiff's response thereto consenting to dismissal of Count One of the Amended Complaint (Doc. # 16), it is hereby

ORDERED that the motion is GRANTED. Accordingly, Plaintiff's FMLA Interference claim alleged in Count One of the Amended Complaint (Doc. # 11) is hereby DISMISSED.

This case shall proceed only on Plaintiff's FMLA Retaliation claim alleged in Count Two of the Amended Complaint.

DONE this day 22nd of August, 2006.

/s/ W. Keith Watkins
UNITED STATES DISTRICT JUDGE